

UNITED STATES DISTRICT COURT

for

Western District of Texas

Report on Offender Under Supervision

Name of Offender: Lameka Alexander Lowe

Case Number: A-16-CR-286-LY(1)

Name of Sentencing Judicial Officer: The Honorable Lee Yeakel, United States District Judge,
Western District of Texas

Date of Original Sentence: June 28, 2017

Original Offense: Count Two: Supplemental Security Income Benefits Fraud, in violation of 42
U.S.C. § 1383a (a)(3)

Original Sentence: Three (3) years Probation. Special conditions: mental health treatment, take all
medication as directed by a doctor/psychiatrist, financial disclosure, pay a \$100 Special Assessment
(paid in full) and \$40,156 Restitution (paid \$6,207.56).

Type of Supervision: Probation

Date Supervision Commenced: June 28, 2017

PREVIOUS COURT ACTION

On August 29, 2017, pursuant to *U.S. v Albro*, 32 F.3d 173 (5th Cir. 1994), the court ordered that the defendant pay toward the outstanding restitution balance at the rate of no less than \$100 per month.

By way of a Report on Offender Under Supervision (12A), the Court was advised of delinquent restitution payments. Based on monitoring by the Financial Litigation Unit, no further action was recommended; the Court concurred.

NONCOMPLIANCE SUMMARY

Violation Mandatory Condition No. 7: "If the judgment imposes a fine or restitution, it is a condition of supervision that the defendant pay in accordance with the Schedule of Payments sheet of the judgment."

Nature of Noncompliance: On August 29, 2017, pursuant to *U.S. v Albro*, 32 F.3d 173 (5th Cir. 1994), the court ordered that the defendant pay toward the outstanding restitution balance at the rate of no less than \$100 per month due by the 30th of each month beginning August 30, 2017. The defendant has not made a monthly payment since February 22, 2019. However, on April 24, 2019, the defendant's income tax refund, totaling \$4,607.56, was garnished by the U.S. Attorney's Office. To date, a total of \$6,307.56 has been satisfied (to include the \$100 special assessment); the outstanding balance is \$33,948.44.

The defendant continues to struggle with mental health issues and has not been to work since August 12, 2019. Based on her mental health needs, she has been earning \$404 monthly for short-term disability. She is expected to return to work on January 27, 2020. Additionally, based on an employment injury, her husband has been out of work as well and no income has been received; his request for disability benefits remains under investigation. To her benefit and through Second Chance Act funding, this office has paid her rent for both December 2019 and January 2020, totaling \$2,800.

U.S. Probation Officer Action:

Based on the defendant's financial struggles leading to legal problems and her inability to pay a \$100 monthly installment towards restitution at this time, this office is providing notice to the Court for information purposes. This office will continue to closely monitor her financial situation and notify the Financial Litigation Unit to ensure that any income tax refund is applied to her restitution obligation. Based on the above action, it is respectfully recommended that the Court take no further action at this time.

Respectfully submitted,



Kathleen Dow

U.S. Probation Officer

Date: 1/21/20

Approved:



Hector J. Garcia

Supervising U.S. Probation Officer

THE COURT ORDERS:

- ☒ No Action
- ☐ Submit a Request for Modifying the Condition or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other



Susan Hightower

U.S. Magistrate Judge

January 22, 2020

Date